

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

2008 MAR -5 AM 11:41

United States of America

v.

Eric Members

Date of Previous Judgment: December 16, 1997

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR597-00003-035) USM No: 09495-021) William W. Preston

) Defendant's Attorney

CLERK *M. Sandoz*
SO. DIST. OF GA.

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 155 months is reduced to time served.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 28Amended Offense Level: 26Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 140 to 175 monthsAmended Guideline Range: 120 to 150 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated December 16, 1997, shall remain in effect.

IT IS SO ORDERED.

Order Date: March 5, 2008


Judge's signature

Effective Date: March 15, 2008
(if different from order date)

William T. Moore, Jr.
Chief Judge, U.S. District Court
Printed name and title